

GOVERNMENT OF ANDHRA PRAESH

ABSTRACT

Public Service – Orders of High Court in W.P. No. 25102/2005 dt. 04-09-2008 – Review of punishment awarded to Sri S. Sreedhara Murthy , AE, (Retd), in the works relating to Chitravathi Balancing Reservoir, Ananthapur District – Imposition of punishment of 2% cut in pension permanently - Orders - Issued

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IRRIGATION & CAD(SER.X-1)DEPARTMENT.

G.O.Ms.No. 32

Dated: 25 -02-2009.

Read the following:

- 1.G.O.Ms.No.92, I&CAD (CAD.Ser.II)Dept., dt.16.5.2002.
 - 2.The Hon'ble A.P.A.T. orders dt.14-2-2005 in O.A.No.4787/2003.
 - 3.The Hon'ble High Court orders in W.P. No.25102/2005 dt. 04-09-08
 4. Representation of Sri S.Sreedhara Murthy , AE, (Retd), dt. 4-10-08
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ORDER:

In the G.O. first read above, Govt. have issued orders imposing penalty of 5% cut in pension permanently to Sri S.Sreedhara Murthy, AE (Retd) for the irregularities committed by him in the works relating to Chitravathi Balancing Reservoir, Anantapur District. after obtaining the concurrence of A.P Public Service Commission.

2. Aggrieved by the above orders, Sri S.Sreedhara Murthy, AE (Retd) has filed O.A.No. 4787/2003 in the APAT . The Hon'ble Tribunal in its order dt. 14.2.2005 has set aside the impugned order of punishment issued in G.O.Ms.No.92, Dt.16.5.2002, and remanded back to respondents to re- examine and pass appropriate orders in terms of orders issued in O.A.No.452/2003 dt.18.11.2004 filed by Sri T.B.Ravi, Dy.EE.

Aggrieved by the above orders Govt. have filed Appeal in the High Court in W.P. No. 251021/2005 against the orders of APAT., dt.14.2.2005 in OA.No.4787/2003. The Hon'ble High Court in its orders dt. 4-9-2008 has observed the following:

“It is fairly conceded by the Learned Govt. Pleader that the issue raised in this WP is squarely covered by the order dt. 27.6.2006 passed in WP No.14321/2005.

In view of the above submission following the order dt. 27.6.2006 passed in WPNo. 14321/2005 and for the reasons stated thereon, this W.P.is also dismissed.”

In the reference 4th read above , Sri S.Sreedhara Murthy, AE (Retd.) in his representation has stated that the Hon'ble High court in W.P.No.25102/2005 have set-aside the impugned G.Os. issued vide G.O.Ms.No.92,dt. 16.5.2002 and G.O.Ms.No.1289,dt. 22.7.2002 and directed to the respondents to issued appropriate orders as per orders passed in O.A.No.4787/2003. He has requested the Govt. to issue appropriate orders as per the directions of APAT and AP High Court .

Govt. after carful examination of the matter, and keeping in view of the orders of Hon'ble High Court in W.P.No. 25102/2005 ,dt 4-9-2008, it has been decided to modify the punishment orders issued in the reference G.O. 1st read above imposing penalty of 5% cut in pension permanently to Sri S.Sreedhara Murthy, AE (Retd) to that of 2% cut in pension permanently . Accordingly , Government hereby order that the penalty of 5% cut in pension permanently awarded earlier in the G.O. 1st read above, be reduced to that of 2% cut in pension permanently .

The Engineer-in-Chief (AW) is requested to take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Sri S.Sreedhara Murthy, AE (Retd)
through Engineer-in-Chief (AW),
Irrigation & CAD Department, Hyderabad.
The Engineer-in-Chief(AW), Irrigation & CAD Dept., Hyderabad.
Copy to: The V.C ,Hyderabad
SF/SC.

//Forwarded by order//

SECTION OFFICER